

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

DEUTSCHE BANK NATIONAL TRUST,)	CASE NO. 1:07CV3359
)	
Plaintiff,)	JUDGE CHRISTOPHER A. BOYKO
)	
v.)	MAGISTRATE JUDGE VECCHIARELLI
)	
ANTOINETTE DOTTORE, et al.,)	
)	
Defendant.)	<u>ORDER</u>

Plaintiff filed this matter October 30, 2007. Plaintiff has not perfected service on Defendant Commonwealth Financial Services, Inc., even though more than six months have passed since the filing of the Complaint. According to Federal Rules of Civil Procedure, specifically, Rule 4(m), provides:

(m) Time Limit for Service. If service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant or direct that service be effected with a specified time; provided that if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period. This subdivision does not apply to service in a foreign country pursuant

to subdivision (f) or (j)(1).

Plaintiff shall show cause in writing by May 23, 2008 why service has not been completed upon Defendant or the Court will dismiss this action as to Defendant Commonwealth Financial Services, Inc.

Further, Plaintiff shall identify, move to dismiss or for default against Defendant "John Doe" by May 23, 2008 or the Court will dismiss this action as to Defendant "John Doe."

IT IS SO ORDERED.

S/Christopher A. Boyko
HONORABLE CHRISTOPHER A. BOYKO
UNITED STATES DISTRICT JUDGE

May 19, 2008